

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

**JERRY LEE LEWIS, JUDITH LEWIS
AND JERRY LEE LEWIS, III**

PLAINTIFFS

v.

CIVIL ACTION NO. 3:17CV180-NBB-RP

HOWARD EZEKIEL LOFTIN, et al.

DEFENDANTS

**ORDER DENYING MOTION FOR PROTECTIVE ORDER AND
SEALING CLERK'S RECORD AND FOR EXPEDITED CONSIDERATION**

Defendants Howard Ezekiel Loftin and Phoebe Lewis Loftin seek an order directing “the Clerk of Court to withdraw the file in the Clerk’s office from public view and to place notice upon the exterior of the file folders that the record in this action is under the seal of privacy.” Docket 3. In support of their motion, defendants cite Federal Rule of Civil Procedure 26(d) purporting to address “a protective order sealing certain parts of the record if ‘good cause’ is shown.” However, FED. R. CIV. P. 26(d) concerns the timing and sequence of discovery. “Sealing of Court Records” is addressed in Local Uniform Civil Rule 79, which details the procedure for sealing any document from access by the public. Defendants’ motion does not comport with Local Rule 79, nor does it provide any factual statement or citation to authority sufficient to necessitate sealing. Therefore, defendants’ Motion for Protective Order and Sealing Clerk’s Record and for Expedited Consideration is DENIED without prejudice to defendants’ right to request the sealing or filing under seal of the subject court records in accordance with Local Rule 79.

This, the 25th day of September, 2017.

/s/ Roy Percy
UNITED STATES MAGISTRATE JUDGE